

Town of Southport Zoning Ordinance Update Steering Committee Meeting #4

Tuesday February 3rd, 2015
5:00-6:30pm
Southport Town Hall

MEETING NOTES

Present Lisa Nagle, Elan Planning, Design & Landscape Architecture, PLLC
Tillie Baker, Hunt Engineers, Architects & Land Surveyors, P.C.
Glenn Gunderman, Town Board
Marcia Kimball, Resident
Peter Rocchi, Code Enforcement
Joseph Roman, Town Board
Susan Silvers, Resident
Dan Williams, Zoning Board of Appeals

Not Present Nicolette Barber, Hunt Engineers, Architects & Land Surveyors, P.C.
Justin Faulkner, Zoning Board of Appeals
Chris Parsons, Planning Board
Mike Stephens, Planning Board

The minutes from the last meeting were approved.

1. Subcommittee Recap

The Committee discussed the project scope of work. Lisa explained that the grant funding was awarded to bring zoning up to date with the Comprehensive Plan and the Diagnostic Report outlines the tasks within this scope of work agreed at the beginning of the project. The Report also includes items that should be addressed with the Town's zoning ordinance that fall outside the current scope. Lisa has provided the Town Supervisor with a scope of services for the items not funded by the grant for the Supervisor to consider. The Committee is keen to address issues with the zoning ordinance as a whole to capitalize on the work to date while the Committee is in place. The Committee will consider making a recommendation to the Supervisor regarding Lisa's proposal to address the out-of-scope items for an additional fee.

ACTIONS:

- The Consultants will send the Diagnostic Report and original Proposal to the Committee.
- Dan will share his list of zoning issues that need to be resolved with the Consultants and the Committee.

2. Draft Code Discussion

Zoning District Boundaries

The zoning boundary changes decided by the Committee are summarized in the table below.

LOCATION	DECISION	RATIONALE
RT Zone along S. Main Street	Change to CN.	The lower section of S. Main is residential, with commercial uses concentrating towards the School. CN makes more sense in this area given the small parcel sizes. CN commercial uses will be more compatible in an existing residential neighborhood than CR uses.
CR Zone along Penna Ave	Change to CN, except for parcels with frontage on Penna Ave which will remain CR.	The Committee considered changing this zone to R3. However, CN will enable future commercial development while allowing residential uses to remain as a conforming use. The area is transitional at the moment; CN will enable flexibility for future development, whether predominantly commercial or residential, while encouraging compatible residential/commercial development to occur.
Sebring Avenue: four parcels behind bowling alley zoned R2.	Change to CR.	This change will apply CR zoning to the whole block which will be more attractive to developers.
Hopkins Street School parcel	No change.	The Committee was concerned about potential spot zoning on this parcel. Although the change would likely pass a spot zoning challenge, the Committee decided that development was unlikely given the asbestos disturbance in the structure and therefore the parcel should remain residential at this time.
Pine City Baptist Church	Change to CN.	The zone change makes sense for this parcel because it is smaller and shallower by comparison to the adjacent AR parcels.
Crandall's property off Penna Ave (bisected by CN and AR)	No change.	Note: the property owner was present at the meeting. The Committee decided that the parcel's division into two zones, while unusual and generally not recommended, did make sense in this instance given the topography of the parcel. Commercial uses would be compatible with the area closer to the street whereas the area zoned AR would not be suitable for development.
Hayloft	Change to CN.	This parcel is currently split between CN and R1 zones. The Committee decided that CN makes more sense in this instance given the adjacent zoning.
Penna Ave. on South side between Pine City School and Post Office, and two parcels adjacent to CN on north side of street.	Change to CN.	Commercial development would be suited to this area. For the two parcels on the north side of the street west of the CN zone the change makes sense. The AR parcels to the west of these two parcels would not be suited to development because of sight lines in this area.

ACTION: Pete to ask STC to make the draft map changes (to be highlighted) for review at the next meeting.

Density Tables

- The Committee decided that there should be no minimum story requirement for CR or CN zones because the market is unlikely to support minimum two-story development.
- 100% lot coverage was approved by the Committee (note: 100% lot coverage won't be possible in practice due to stormwater regulations).

ACTION: Tillie to check that draft district intents will be consistent with removal of 2-story requirement.

Parking Table

- Historically, many zoning ordinances have over-prescribed parking which has led to distorted development, excessive impervious surface and reduced tax revenue. Contemporary zoning ordinances are designed to encourage dialogue between developers and the planning board to decide on the necessary number of off-site spaces (if any), taking existing on-street parking and adjacent lots into account. We want to think more about how parking is configured and how many spaces there are based on the existing conditions in the vicinity of the proposed development.
- Using a Gross Floor Area (GFA) calculation may not yield a reasonable number of off-site spaces on all occasions. For example, a lot of floor area in a senior housing development is devoted to amenities for residents, and many residents no longer drive. In this instance a per-GFA calculation for parking spaces would most likely lead to a large and under-utilized parking lot.
- The minimum required spaces included in the draft Parking Article were derived from national standards and other ordinances. The Committee may want to provide minimums in some sections if they aren't comfortable with "Per Site Plan Review" (Per SPR) for some uses. The Committee will decide to use a GFA or Per SPR calculation for "Nursing home/Convalescent Home" once they have reviewed the definition of Gross Floor Area.
- If a school does not have an auditorium a GFA calculation could be used. The Committee will also consider using an athletic complex to calculate the number of parking spaces as an alternative.
- The parking table also notes that a definition of "Flea Market" is required. The current Zoning Ordinance lists "Flea Market" in the use table but does not allow flea markets in any zones. The Committee decided that flea markets should be allowed in CR and I zones because they will likely require a large parcel of land.

ACTIONS:

- Lisa to provide a definition of Gross Floor Area.
- Lisa/Tillie to check standards for flea market parking for the Committee to review at the next meeting.

PMR/PSHOD

- Accommodating seniors is an important goal of the Comprehensive Plan and the current PSHOD Zone is being reviewed as part of this project. The Consultants have also reviewed the PMR zone because it has some similarities with PSHOD. The main differences are that PMR is a floating zone whereas PSHOD is a mapped overlay zone, and PMR is about flexible development, whereas PSHOD is focused on senior housing. There is potential to blend PSHOD into PMR, which would still allow the Town to accommodate senior housing while encouraging flexible development. So far only one project has come to fruition in the PSHOD and no development has occurred in PMR as far as Pete Rocchi is aware.
- The Consultants have created a document showing PSHOD and PMR side by side, with comments. The General Requirements sections for both PSHOD and PMR are very prescriptive and take up almost 5 pages of the handout.
- As an alternative, the Committee may want to consider a Planned Development District (PDD), which is very common in zoning. PDDs are designed to encourage mixed-use development. PDD has a very similar process to PMR. Because it requires a zoning change, PDD would require the Town Board to be involved in addition to the planning board.
- It should be noted that both PMR and PSHOD are focused on residential development whereas PDD is more flexible and would allow different types of uses. PDD is designed to be a transparent process with public hearings. The process generally takes about one year. Etta Dewey commented that there is currently a long wait list in the Town for senior housing and she would be supportive of PDD as a mechanism to enable more flexibility for development in Southport. She also pointed out that not all seniors want to live in dedicated senior housing.

ACTION: Lisa to send draft PDD language to the Committee for review.

3. Committee Homework

- Read through the PMR/PSHOD document and the draft PDD language for discussion at the March meeting. The Committee may decide to blend PMR and PSHOD or remove both and replace them with a PDD. The Committee nominated Mike Stephens to lead a subcommittee on this topic.
- Read through draft Article VI “Residential Cluster Development (RCD)”. This revision to the existing cluster language would strengthen the Town’s commitment to preserving natural resources specified to the goal in the Comprehensive Plan. RCD is optional and would only apply in the AR Zone.
- Review definition of Gross Floor Area (to be sent after the meeting).

The report on adult uses and contractor’s equipment yards was moved to the next meeting. Mike reported that he carried out research into contractor’s equipment yards and found that they are often allowed in agricultural zones in upstate New York.

The next meeting is scheduled for Tuesday March 10, 5:00-6:30 at Town Hall.